IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 21554 of 2005

Between:

Dadi Apparao, S/o. Late Somu Naidu,
member and Ex-President of Kottapalem

PACS, Visakhapatnam District.

..... PETITIONER

AND

1. District Collector, Visakapatnam.

2. Person-in-charge,
   Kothapalem, PACS Kothapalem.

3. Secretary, Kothapalem PACS,
   Kothapalem Mandal, Visakhapatnam District.

4. Sri M. Venkateswara Rao, Asst. Registrar,
   O/o. District Coop. and Person in-charge,

Chinagadili Mandal, Visakhapatnam District.

5. Sri G.V.V.Gopalaraju, Secretary,
   Kothapalem PACS.

6. Sri P. Gopala Naidu,
   PACS-Kothapalem, Junior Telugu Lecturer,

Govt., Junior College,
   Pendurthi, Visakhapatnam District.

...RESPONDENTS

* * *

ORDER:

This writ petition has been filed to declare the action of the respondents in not issuing 'no due certificate' to the petitioner, as illegal and arbitrary.

2. There is no proof to show that the petitioner applied for issuance of no due certificate to the competent authority and the competent authority refused to do so. Therefore, in the absence of any proof of denial of statutory right, no relief can be granted as prayed for, and the writ petition is devoid of merits.

3. Accordingly, the writ petition is dismissed, leaving open the remedies to the petitioner under law. No costs.

_____

K.C.BHANU, J.

Date: 05th October 2005.

BSB